FORM-I
NOTICE FOR APPEARANCE IN PERSON AFTER ADMISSION
(SEE RULE 18)
IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THURSDAY THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND SEVEN

: PRESENT:

THE HON'BLE SRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
THE HON`BLE SRI JUSTICE: C.V. NAGARJUNA REDDY

CONTEMPT CASE No. 216 OF 2007

Between:

1. Mubarak Patan, S/o. Mahaboob Patan.
2. M. Raja Sekhar Reddy, S/o. M. Rosi Reddy.

… Petitioners

AND

1. Ms. Sivaparvathi, the Commissioner, Kukatpally Municipality, Kukatpally, Hyderabad, R.R. District.
2. The HUDA, rep. By it's Vice Chairman, Paiga Plaza, Hyderabad.
3. The District Collector, R.R. District, Lakdikapool, Hyderabad.
4. The Mandal Revenue Officer, Balanagar Mandal, R.R. District, Hyderabad.
5. M/s. K.S.R. Construction Co. rep. By it's Partner, K. Kondal Rao, S/o. Chandra Rao, Office at # 5-5-92, Kukatpally, Hyderabad, R.R. District.
6. Mohd. Habeeb Ali Khan, S/o. Mohd. Mahaboob Ali Khan, Occ: Business, R/o. 10-2-350/5, Ali Manson, Asif Nagar, Hyderabad.
7. Mohd. Ghouse Khan, S/o. Late Mohd. Abdul Salam Khan, Occ: Business, Office #5-5-13, Kukatpally, Hyderabad, R.R. District.
8. Mohd. Ali Khan, S/o. Mohd. Abdul Salam Khan, Occ: Business, R/o. 5-5-13/2, Kukatpally, Hyderabad, R.R. District.
9. Mohd. Sabeer, S/o. Late Mohd. Ibrahim, Occ: Business, R/o. 5-6-75/A, Dayarguda, Kukatpally, Hyderabad, R.R. District.

(Respondents 2 to 4 and 6 to 9 are not necessary)

Respondents

Whereas the court upon perusing the Case and the affidavit filed herein and upon hearing the arguments of Sri N. Raja Sekharam, Advocate for the petitioners observed as follows:

In this petition filed under Sections 10 to 12 of the Contempt of Courts Act, 1971, the petitioners have prayed for punishing the non-petitioners for violating order dated: 17-01-2007 passed in Writ Petition No. 20019 of 2006.

Heard learned counsel for the petitioners and perused the record.

Although, while disposing of Writ Petition No. 20019 of 2006, we had accepted the plea of respondent Nos. 5 to 9 that the petitioners have been put up by the competitors in the business, respondent No. 5 was restrained from

making further construction till the adjudication of the suit filed by him against the other private respondents.

The photographs filed with this petition prima facie establish that despite the injunction order passed by the Court, Respondent No. 5 has been carrying on the construction activity. Therefore, he is liable to be punished for committing contempt of Court.

And whereas the Court while admitting the Contempt Case directed the Registry to issue notice to Shri K. Kondal Rao, Partner of Respondent No. 5-M/s. K.S.R. Construction Company at-5-5-92, Kukatpally, Hyderabad, Ranga Reddy District for April 10, 2007 for his appearance and to show cause as to why he may not be punished for having committed contempt of Court and why the structure raised by him in violation of the direction given by the Court may not be demolished;

To
Shri K. Kondal Rao, S/o. Chandra Rao, Partner, M/s. K.S.R. Construction Co.
Office at # 5-5-92, Kukatpally, Hyderabad, R.R. District.

WHEREAS your attendance is necessary to answer the charges of the Contempt of Courts under Sections 10 to 12 of Contempt of Courts Act viz; to punish the Respondents/Contemnors Nos. 1 and 5 herein under Sections 10 to 12 of the Contempt of Courts Act 1971 for willful disobedience, negligence and reluctance to follow the orders of Honourable Court dated: 17-01-2007 passed in WP No. 20019 of 2006 and for non complying with the orders of this Honourable Court;

You viz ;
Shri K. Kondal Rao, S/o. Chandra Rao, Partner, M/s. K.S.R. Construction Co.
Office at # 5-5-92, Kukatpally, Hyderabad, R.R. District.

are hereby required to appear in person before the High Court of Andhra Pradesh at Hyderabad on **10-04-2007 at 10.30.a.m** and show cause why you may not be punished or other appropriate order be not passed against you for having committed contempt of Court. And to show cause as to why the structure raised by you in violation of the direction given by the Court may not be demolished; .

You shall attend High Court of Andhra Pradesh at Hyderabad in person on **10-04-2007** a**t 10.30.am** and shall continue to attend the High Court on all days thereafter to which date the case against you stands as adjourned and until final orders are passed on the charge against you.

Herein fail not.

The Court further made the following ORDER:
"In the meanwhile, Respondent No. 3 i.e. District Collector, Ranga Reddy is directed to ensure that the construction being undertaken by

Respondent No. 5 is stopped forthwith. If necessary, the District Collector may use police force for stopping the ongoing construction activity".

DEPUTY
REGISTRAR

..3..

To

1. The District Judge, Ranga Reddy District at L.B. Nagar, Hyderabad **(in duplicate along with copy of petition and affidavit for service on the Respondent No. 5 and return to this court on or before 10-04-2007)**
2. The District Collector, R.R. District, Lakdikapool, Hyderabad. (BY FAX and BY SPECIAL MESSENGER with a copy of petition and affidavit)
3. Shri K. Kondal Rao, S/o. Chandra Rao, Partner, M/s. K.S.R. Construction Co. Office at # 5-5-92, Kukatpally, Hyderabad, R.R. District. (BY SPECIAL MESSENGER with a copy of petition and affidavit)
4. Ms. Sivaparvathi, the Commissioner, Kukatpally Municipality, Kukatpally, Hyderabad, R.R. District. (BY SPECIAL MESSENGER with a copy of petition and affidavit)
5. The Registrar (Judicial), High Court of A.P., Hyderabad (for kind perusal)
6. One CC to Sri N. Rajasekharam, Advocate (OPUC(
7. One spare copy.

Ksv

HIGH COURT

Ksv
Date of drafting: 02-04-2007

BPRJ
&
CVNRJ

DATE: 29-03-2007

NOTE: POST ON 10-04-2007

ORDER

C.C. NO. 216 OF 2007

NOTICE TO RESPONDENT NO. 5
FOR HIS APPEARANCE BEFORE
THIS COURT